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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,174	08/27/2001	Lane W. Lee	M-12038 US	5308

7590 08/07/2008
MACPIERSON KWOK CHIEN & HEID LLP
1762 TECHNOLOGY DRIVE
SUITE 226
SAN JOSE, CA 95110

EXAMINER	
AUGUSTIN, EVENS J	

ART UNIT	PAPER NUMBER
3621	

MAIL DATE	DELIVERY MODE
08/07/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 3621

ACTION

1. The USPTO's Board of Patent Appeals and Interferences ("Board") returned this application to the Examiner. See "Review Form/Checklist for Appeal Brief or Examiner Answer" mailed on June 9, 2008 ("June 2008 Return").
2. In the June 2008 Return, the Board stated:
 - (1) The status of claims statement is incorrect. The appeal brief filed 03/12/08, states claims 4-23 were canceled; the canceled claims should read 4-8, 10-14, 16, 19-20 and 23;
3. In accordance with (1) above, the "Status of Claim" section in the Examiner's Answer mailed on May 29, 2008 has been amended to:
 - i. (3) Status of Claims**
The status of claims statement is incorrect. The appeal brief filed on 03/12/08, states claims 4-23 were canceled; the canceled claims should read 4-8, 10-14, 16, 19-20 and 23;
4. It is the Examiner's position that no further action is necessary.

/Evens J. Augustin/
Art Unit 3621
August 6, 2008

Organization _____ Bldg./Room _____

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